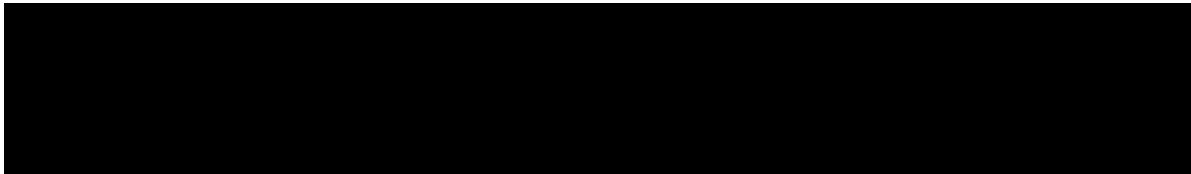


EXHIBIT 13





David B. Conrad

Principal

Dallas

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Overview

David Conrad is an experienced litigator who represents clients as lead counsel in commercial and intellectual property disputes in state courts in Texas and across the country. He represents companies and individuals accused of wrongdoing as well as those seeking to enforce their rights.

David has appeared on behalf of clients in over 300 U.S. District Court and state court cases. He has successfully argued appeals in numerous forums, including several times before the Federal Circuit, the Patent Trial and Appeal Board, and Texas state courts of appeals.

In 2018, *Managing Intellectual Property* ranked him in the top list of attorneys representing defendants in patent cases in U.S. District Courts. DocketNavigator has ranked him among the top accused patent infringers lawyers several years in a row.

David's clients benefit from his in-depth knowledge of computers, software, and engineering. He has experience handling disputes involving a wide range of technologies, including telecommunications, artificial intelligence, e-commerce and web site systems, computer network architecture, computer software, encryption, and semiconductors.

Prior to law school, David worked at National Instruments in Austin, Texas as a software engineer, where he developed system-level software and designed embedded computer systems for industrial applications. In his first year at National Instruments, the company's R&D department recognized David as the rookie of the year. During his engineering studies at the University of Texas, he worked for the Applied Research Laboratories, where he developed control software and designed embedded computers for high-resolution underwater sonar systems for the U.S. Navy. He is fluent in numerous computer software languages including Rust, Go, Python, JavaScript, C, C++, SQL, Ruby, and Java.

David also trained criminal cases in the Dallas County district attorney's office as part of its Lawyer on Loan program, where he picked the jury or first-chaired more than 10 jury trials and tried each of those cases to verdict.

He is also active in the community, handling pro bono litigation in partnership with ACLU of Louisiana, Kids in Need of Defense, and Electronic Frontier Foundation, and working on pro bono matters for Texas AppPreseed, the Texas Defenders Service, and Immigration Equity.

Experience

Inventor Holdings, LLC v. Bed Bath & Beyond Inc. (D. Del. and Federal Circuit): Lead counsel for Bed Bath & Beyond in patent infringement lawsuit involving the local processing of payments for orders placed remotely. Argued on appeal at Federal Circuit.

and obtained affirmance of summary judgment of invalidity of the asserted patents under 35 U.S.C. § 101. Obtained \$1 million on award for the plaintiff to pay Bed Bath & Beyond's attorneys' fees after a finding that the case was exceptional under § 285, which the Federal Circuit affirmed.

Escort Inc v. Uniden America Corporation (N.D. Tex.): Lead counsel representing Uniden in patent infringement lawsuit and *inter partes* review (IPR) proceedings concerning GPS and police radar activity detector technology. Argued at Patent Trial and Appeal Board (PTAB). Obtained favorable settlement for client.

HDNet MMC 2008 v. Zuffa, LLC (Dallas County and N.D. Tex.): Represented Mark Cuban's mixed-martial arts promoter over contractual dispute involving fighter Randy Couture and Zuffa d/b/a Ultimate Fighting Championship.

Huawei Technologies Co. Ltd v. T-Mobile US, Inc. and T-Mobile USA, Inc. (E.D. Tex.): Represented Huawei in a series of four related patent infringement actions concerning T-Mobile's infringement of 14 standard-essential patents (or SEPs) related to 3GPP/LTE standards for core network equipment, as well as a declaratory judgment case regarding FRAND licensing obligations.

Parallel Networks, LLC v. Abercrombie, Inc. (E.D. Tex.); *Parallel Networks, LLC v. AEO, Inc.* (E.D. Tex.); *Parallel Networks, LLC v. Bentley Motors Inc.* (E.D. Tex.); *Parallel Networks, LLC v. Adidas America, Inc.* (E.D. Tex.); *Parallel Networks, LLC v. Backstage Web Inc.* (E.D. Tex. and D. De.): In the first year of Markman/Summary Judgment procedure ever implemented in the Eastern District of Texas, obtained summary judgment of non-infringement for Netflix, Facebook, Travelocity, Flightbookers, TripAdvisor, Brawn, US Airways, Delta Airlines, Oriental Trading, Cabea's, Barnes & Noble, Onestop Internet, Conx, Sunglass Hut, Goodyear, Cuzen Watch, Dard's, Subaru, ASCS, and Jones Retail in patent infringement lawsuit involving the dynamic generation of an applet. Obtained Federal Circuit affirmance of the dismissal. As lead counsel representing Kayak, Orbitz, Shoebuy.com, and Wooverne World Wide, obtained another summary judgment of non-infringement. Argued on appeal at the Federal Circuit, resulting in affirmance.

Richard Garriott v. NCsoft Corp. (W.D. Tex.): Represented legendary computer game developer Richard Garriott in lawsuit against Korean computer game manufacturer over breach of stock option agreement. Obtained \$28 million jury verdict.

Sonus Networks, Inc. v. Metaswitch Networks Ltd (E.D. Tex. and USPTO Patent Trial and Appeal Board): Represented Metaswitch Networks in competition litigation brought by Sonus Networks, Inc. d/b/a Ribbon Communications, Inc. alleging infringement of telecommunications patents related to softswitches and session border controllers (SBCs). In addition to two district court actions involving a total of 20 asserted patents, filed 9 petitions for *inter partes* review (IPR) with the Patent Trial and Appeal Board (PTAB).

Sound View Innovations, LLC v. Cigna Corporation et al (D. De.): Lead counsel representing Cigna Corporation and Cigna Health and Life Insurance Company in patent infringement action involving five patents directed at website technology and real-time processing of big data.

Vines-Herrin Custom Homes, LLC et al v Great American Insurance Co. et al. (Dallas County): Lead counsel representing homeowner in litigation against CGL insurance carrier in Dallas County courts. After obtaining \$5 million judgment in damages, argued appeal at the Dallas Fifth Court of Appeals and obtained affirmance. Obtained affirmance at Texas Supreme Court.

Jonathan Cooke, et al v. Robert Karlseng, et al. (Dallas County): Lead counsel representing individual in appeal regarding partnership dispute over theft of business operations. Argued at the Dallas Fifth Court of Appeals.

Blue Calypso, Inc. v. Groupon, Inc. (E.D. Tex.; S.D.N.Y.; 5th Cir.; and Fed. Cir.): Represented social advertising software company Blue Calypso in patent enforcement actions against Groupon, Yelp, Foursquare, and ZEA. Handled response to mandamus petition at Fifth Circuit Court of Appeals. Argued appeal at Federal Circuit. Secured settlements on behalf of Blue Calypso.

Cellspin Soft, Inc. v. Fossil Group, Inc. et al (N.D. Cal. and Federal Circuit): Representing Fossil Group in patent infringement action involving Bluetooth-connected smartwatches.

CXT Systems, Inc. v. Academy, Ltd., d/b/a Academy Sports + Outdoors (E.D. Tex.); *CXT Systems, Inc. v. Fossil Group, Inc.* (E.D. Tex.): Representing Fossil and Academy Sports in patent infringement action involving e-commerce shopping cart technology.

DDR Holdings, LLC v. Travelocity.com LP and Site59.com, LLC (E.D. Tex.); *DDR Holdings, LLC v. Internetwork Publishing Corporation d/b/a Lodging.com and Neat Group Corporation* (E.D. Tex.); *DDR Holdings, LLC v. Expedia, Inc. and Hotels.com, LP* (E.D. Tex.): Represented Travelocity/Site59, Lodging.com/Neat Group/Orbitz, and Expedia/Hotels.com in patent infringement suits involving co-branding and private labeling of a website. After reexamination of patents-in-suit, obtained settlements for clients.

Ddrops Company et al v. iHerb, Inc. et al (D. Minn.): Represented iHerb in trademark infringement and patent infringement action against iHerb in connection with Vitamin D supplements. After filing opposition to Ddrops's motion for preliminary injunction, obtained extremely favorable settlement for client.

Dynamic Applet Technologies, LLC v. Urban Outfitters, Inc. (E.D. Tex.); *Dynamic Applet Technologies, LLC v. Mattress Firm, Inc.* (E.D. Tex.); *Dynamic Applet Technologies, LLC v. Hollister Co.* (E.D. Tex.); *Dynamic Applet Technologies, LLC v. PetSmart, Inc.* (E.D. Tex.): Lead counsel representing Urban Outfitters, Mattress Firm, Hollister, and PetSmart in patent infringement action related to front-end website technology. Obtained favorable settlements for clients.

eDekka LLC v. 3balls.com, Inc. (E.D. Tex.): Represented ALDO U.S., Act on Envelope & Printing Co., Asics America Corporation, and Cymax Stores USA in connection with patent infringement cases involving e-commerce shopping cart technology.

Electro Scientific Industries Inc v. Fossil Group Inc. (N.D. Tex.): Lead counsel representing Fossil Group in patent infringement action involving user driving of microscopical holes. Obtained favorable settlement for Fossil.

Freeny et al v. Fossil Group, Inc. (E.D. Tex. and USPTO Patent Trial and Appeal Board): Lead counsel for Fossil Group in patent infringement action involving Bluetooth and Wi-Fi technology in smartwatches. Obtained favorable settlement for Fossil before trial.

ICON Internet Competence Network v. Travelocity.com LP (N.D. Tex. and Federal Circuit): Lead counsel for Travelocity in patent infringement action involving website systems for generating a virtual reality scene, where the plaintiff sought damages of over \$25 million. After obtaining Federal Circuit affirmation of summary judgment of non-infringement and an award of costs, forced plaintiff to resolve the case by assigning its patents to Travelocity.

Legacy Investments, Inc., et al. v. Bruce Thompson, et al. and Miro Vranac v. Mary Huddleston, et al. (Dallas County): Represented oil and gas investment firm in litigation on against former executives for breach of contract, breach of fiduciary duty, and usurpation of corporate opportunity.

Phoenix Licensing, L.L.C. v. Barclays PLC, Barclays Bank PLC, and Barclays Bank Delaware (E.D. Tex.); *Phoenix Licensing, L.L.C. v. Comerica Inc., M&I Marshall & Ilsley Bank, M&I FSB, Transamerica Affinity Services, Inc., AEGON USA, Inc., AEGON Direct Marketing Services, Inc., Stonebridge Life Insurance Company, and Monumental Life Insurance Company* (E.D. Tex.); *Phoenix Licensing, L.L.C. v. Colonial Penn Life Insurance Company, CNO Financial Group, Inc., CUNA Mutual Insurance Agency, Inc., CUNA Mutual Insurance Society, CUNA Mutual Life Insurance Co., and Members Life Insurance Co.* (E.D. Tex.); *Phoenix Licensing, L.L.C. v. Sovereign Bank* (E.D. Tex.); and *Phoenix Licensing, L.L.C. v. Nationwide Mutual Insurance Company, Nationwide Bank, Nationwide Investment Services Corporation, Nationwide Property & Casualty Company, Nationwide Lloyds Company, and Allied Property and Casualty Insurance Company* (E.D. Tex.): Represented Comerica, CUNA, Sovereign, Colonial, Nationwide, Barclays, Transamerica, AEGON, Stonebridge, Monumental, and M&I, in patent infringement suits involving e-commerce technology. Obtaining grant of motion to dismiss for lack of patent eligibility under Section 101 notwithstanding patents-in-suit.

Sensormatic LLC v Genetec, Inc. (D. Del.): Lead counsel representing Genetec in patent infringement action involving video analytics and evaluator access control systems.

Teleconference Systems LLC v. Metaswitch Networks Corp. (E.D. Tex.): Lead counsel representing Metaswitch Networks in patent infringement action brought by Teleconference Systems relating to session border controller (SBC) telecommunication products. Obtained favorable settlement for Metaswitch.

TIBCO Software Inc. v. Connecticut General Life Insurance Company (CIGNA) (N.D. Cal.): Lead counsel representing Cigna Health and Life Insurance Company in contract and copyright dispute concerning allegations of software license over-deployment.

AlexSam v. Cigna Corporation et al (E.D. Tex.): Represent ng C gna n patent nfr ngement act on nvo v ng mu t -funct on deb t card payment system.

Aqua Connect, Inc. et al v. Splashtop, Inc. (D. De.): Lead counse represent ng Sp ashtop n patent nfr ngement act on re at ng to remote access and remote desktop software. Obta ned favorab e sett ement for Sp ashtop.

BSG Tech LLC v. BuySeasons, Inc. (E.D. Tex.): Represented BuySeasons n patent nfr ngement act on d rected to database technogy nvo v ng cons der ng h stor ca usage nformat on wh e nputt ng data. Obta ned grant of Ru e 12(b)(6) d sm ssa under § 101 based on ne g b ty of patents d rected to cons der ng h stor ca usage nformat on wh e nputt ng data, aff rmed on appea by Federa C rcu t.

E2E Processing, Inc. v. Cabela's Incorporated (E.D. Tex.): Lead counse represent ng Cabe a's n patent nfr ngement act on nvo v ng exchange to exchange (E2E) technogy on webs tes. Obta ned d sm ssa from p a nt ff after f ng a Ru e 11 mot on a eg ng the awsu t was fr vo ous.

Epic IP LLC v. Backblaze, Inc. (D. De.): Represented Backbaze n patent nfr ngement act on d rected to on ne chat technogy. Obta ned grant of Ru e 12(b)(6) d sm ssa under § 101 based on patent ne g b ty

Finnavations LLC v. Payoneer, Inc. (D. De.): Represented Payoneer n patent nfr ngement act on re ated to f nanc a management systems. Obta ned grant of Ru e 12(b)(6) d sm ssa under § 101 based on ne g b ty, a ong w th an award of a of c ent's attorney fees.

Hitel LLC v Giorgio Armani (W.D. Tex.): Represented G org o Arman n patent nfr ngement t gat on nvo v ng e-commerce search technogy. Obta ned d sm ssa for c ent.

Human Differential Intelligence v. Cigna Health & Life Insurance Company (W.D. Tex.); *Human Differential Intelligence v. Bed, Bath & Beyond, Inc.* (W.D. Tex.): Represent ng C gna and Bed, Bath & Beyond n patent nfr ngement act on nvo v ng CAPTCHA serv ces

Icon Laser Solutions, LLC v. Abercrombie & Fitch, Co. (D. De.): Represented Abercromb e & F tch, Aeroposta e, Amer can Eag e Outf tters, Ra ph Lauren, and N ne West Ho d ngs n patent nfr ngement act on nvo v ng methods for us ng asers to co or and fade text es. Obta ned Ru e 12(b)(6) d sm ssa for fa ure to state a c a m.

IPLearn-Focus v. Microsoft Corporation (USPTO Patent Tr a and Appea Board): Represented M crosoft n three *inter partes* rev ew (PR) proceed ngs nvo v ng patents asserted aga nst Xbox 360 K nect

Magnolia and Vine Inc. v. Tapestry, Inc. (D. M nn.): Represented Coach, Kate Spade, and Tapestry n patent and trademark nfr ngement act on nvo v ng des gn and ut ty patents re ated to des gner handbags.

Mantis Communications, LLC v. Papa Murphy's Holdings, Inc (E.D. Tex. and Federa C rcu t); *Mantis Communications, LLC v. Baskin-Robbins Franchising, LLC* (E.D. Tex.); *Mantis Communications, LLC v. Regal Cinemas, Inc* (E.D. Tex.); *Mantis Communications, LLC v. Culver Franchising System* (E.D. Tex. and Fed. C r.): Lead counse represent ng Papa Murphys, Bask n-Robb ns, Rega C nemas, and Cu ver n patent nfr ngement act on re ated to advert s ng technogy for de ver ng content to mob e dev ces. After obta n ng a Ru e 12(b)(6) d sm ssa under § 101 based on patent ne g b ty, argued the appea at the Federa C rcu t resu t ng n aff rmance.

nThrive, Inc. v Peak Technologies LLC: Lead counse represent ng nThr ve n trademark oppos t on and nfr ngement act on aga nst Peak Techno og es, LLC

Semantic Search Technologies LLC v. O'Reilly Automotive, Inc. (E.D. Tex.); *Semantic Search Technologies LLC v. Fry's Electronics, Incorporated* (E.D. Tex.): Represent ng Fry's E ectron cs and O'Re y Automot ve n patent nfr ngement act on brought by Semant c Search Techno og es re at ng to e-commerce webs te technogy. Obta ned a Ru e 12(b)(6) d sm ssa under § 101 based on patent ne g b ty.

TQP Development, LLC v. Barclays Bank PLC and Amazon.com, Inc (E.D. Tex.); *TQP Development, LLC v. Ticketmaster Entertainment, Inc.* (E.D. Tex.); *TQP Development, LLC v. Delta Air Lines, Inc., BigMachines, Inc., Transamerica Life Insurance*

Company, and Bank of New York Mellon Corporation (E.D. Tex.); *TQP Development, LLC v. Allianz Life Insurance Company of North America, CNA Financial Corporation, Dodge & Cox, OppenheimerFunds, Inc., Nationwide Investment Services Corporation, and Nationwide Mutual Insurance Company* (E.D. Tex.); *TQP Development, LLC v. CHS, Inc., New York Life Insurance Company, New York Life Insurance and Annuity Corporation, and Massachusetts Mutual Life Insurance Company* (E.D. Tex.); *TQP Development, LLC v. Orbitz, LLC, Hotwire, Inc., and Expedia, Inc.* (E.D. Tex.); *TQP Development, LLC v. Deere & Company* (E.D. Tex.); *TQP Development, LLC v. PepsiCo, Inc.* (E.D. Tex.); *TQP Development, LLC v. Oriental Trading Company, Inc.* (E.D. Tex.); *TQP Development, LLC v. Google Inc.* (E.D. Tex.); *TQP Development, LLC v. Hertz Corporation* (E.D. Tex.); *TQP Development, LLC v. Carestream Health, Inc.* (E.D. Tex.); *TQP Development, LLC v. Bed Bath & Beyond* (E.D. Tex.); *TQP Development, LLC v. Brooks Brothers Group, Inc.* (E.D. Tex.); *TQP Development, LLC v. Frontier Airlines, Inc.* (E.D. Tex.); and *TQP Development, LLC v. Allied Electronics, Inc.* (E.D. Tex.): Represented numerous defendants in patent infringement suit involving encrypted web communications. Obtained summary judgment of non-infringement for Hertz in suit involving SSL technology. Also obtained dismissal of Ticketmaster, CHS, MassMutua, Oronta Trading, Bed Bath & Beyond, Brooks Brothers, Frontier Airlines, and Allied Electronics and favorable settlements for Barclays, Amazon, Delta, Bloomberg, Transamerica, Bank of New York Mellon, Oppenheimer, Nationwide, New York Life, Allianz, CNA Financial, Orbitz, Hotwire, Deere, PepsiCo, Expedia, and Google.

Ultravision Technologies, LLC v. Irvin International (E.D. Tex.): Lead counsel representing Irvin International in patent infringement action related to LED board display technology, resulting in settlement.

Billingnetwork Patent, Inc. v. Modernizing Medicine, Inc. (N.D. Cal. and D. Del.); *BillingNetwork Patent, Inc. v. VisionWeb Holdings* (N.D. Cal.): Lead counsel representing Modernizing Medicine and VisionWeb in patent infringement actions involving integrated internet facilitated billing, data processing and communications system. Obtaining a dismissal for improper venue ininois and transfer to Delaware on behalf of Modernizing Medicine. Obtained stipulated dismissal on behalf of applicants.

CeeColor Industries LLC v. Citizen Watch Company of America, Inc. (D. Del.): Represented Citizen Watch in patent infringement action involving an electronic device security system with proximity sensing. Secured voluntary dismissal by payment.

Colt International Clothing, Inc v. Quasar Science LLC et al (C.D. Cal.): Lead counsel representing Colnease in patent infringement action related to flexible lightweight harness and wiring.

Dexas International Ltd v. Lifetime Brands, Inc. (E.D. Tex.): Obtained favorable settlement for Dollar Tree in patent infringement suit concerning a cutting board scoop.

Execware LLC v. Blue Nile Inc. (D. Del.): Represented Blue Nile in patent infringement action involving parametric search technology. Obtained stipulated settlement for client.

Global Sessions LP v. Orbitz Worldwide, Inc., Orbitz Worldwide, LLC, Orbitz, Inc., Orbitz, LLC, and Trip Network, Inc. (d/b/a CheapTickets) (E.D. Tex.) and *Global Sessions LP v. Priceline.com, Inc.* (E.D. Tex.): Represented Orbitz and Priceline in patent infringement lawsuits relating to session state web server technology. Obtained favorable settlements for clients.

H-W Technology L.C. v. Orbitz Worldwide, Inc. (N.D. Tex.): Obtained favorable settlement for Orbitz in patent infringement action relating to the use of a smartphone to access a mobile website to order goods and services.

LBS Innovations LLC v. Hotels.com, LP (E.D. Tex.): Represented Hotels.com in patent infringement suit relating to website geographic search locator feature. Obtained stipulated dismissal on behalf of client.

Lit v. Zazzle Inc. (N.D. Cal.): Represented Zazzle in patent infringement actions involving technology for carousel displays on websites. After obtaining an order granting Rule 12(b)(6) motion for improper venue, secured stipulated dismissal on behalf of client.

MB&A Robotways v. Minuteman International, Inc. (N.D. Cal.): Represented Minuteman in patent infringement action involving autonomous floor scrubbers. Secured an early voluntary dismissal by payment.

Mod Stack LLC v. AcuLab, Inc. (D. Del.); *Mod Stack LLC v. Raisecom Inc.* (D. Del.); *Mod Stack LLC v. Metaswitch Networks Corp.* (E.D. Tex.); *Mod Stack LLC v. Sangoma US Inc.* (E.D. Tex.); *Mod Stack LLC v. Masergy, Inc.* (E.D. Tex.): Represented AcuLab, Raisecom, Metaswitch, Sangoma, and Masergy in patent infringement action directed at VoIP gateways.

Nu You Technologies, LLC v. Beauty Town Int'l, Inc. (N.D. Tex.): Lead counsel representing Beauty Town in patent infringement action involving hair care products. Obtained stipulated settlement for client.

Opal Run LLC v. C&A Marketing, Inc. (E.D. Tex.): After forcing plaintiff to dismiss its case with prejudice without a settlement or payment, obtained award of attorneys fees under 35 U.S.C. 285 on behalf of Overnights.

Orientview Technologies LLC v. Spy Inc. (D. Del.) and *Orientview Technologies LLC v. Seven For All Mankind, LLC* (S.D.N.Y.): Represented Spy and Seven For All Mankind in patent infringement actions involving viewer specific presentation of information. Obtained favorable settlements for clients.

Recognitions & awards

Best Lawyers in America

Best Lawyers 2022-2023

Super Lawyers

Super Lawyers 2019-2020

On the Rise

Texas Lawyer 2017

Rising Star

Super Lawyers 2015-2017

Insights

Blog | August 24, 2022

Judge Connors New Standing Order Requiring Disclosure Behind Patent Assertion Entities Shows It Has Teeth

Blog | July 13, 2020

"Scraping" of a Publicly-Accessible Website Database May Be Misappropriation of Trade Secrets

Webinar | April 1, 2020

Remote Advocacy in the Age of Social Distancing

Article | March 31, 2020

Fish Attorneys Author *Law360* Article, "Client Advocacy Tips For Remote Hearings During COVID-19"

Blog | May 22, 2018

Federal Circuit Holds That Plaintiff Bears the Burden of Proving Venue in Patent Cases

Blog | May 2, 2018

What do human traffickers, money launderers, and patent non-practicing entities have in common?

Blog | February 22, 2018

Federal Circuit Takes Up Venue Burden Issue

Blog | December 18, 2017

Unanswered Questions After *TC Heartland*

Blog | October 13, 2016

Federal Circuit Affirms the Dissmissal of a Complaint That Insufficiently Pleaded Joint Infringement

Blog | August 16, 2016

Federal Circuit Once Again Finds That a Functional Claim Term is Indefinite Even Without the Use of "Means."

Blog | January 29, 2016

The Federal Circuit trend to strengthen the standard for definiteness

News

August 22, 2022

96 Fish Attorneys included in the 2023 Edition of *The Best Lawyers in America*

August 19, 2021

Fish Attorneys Recognized in 2022 Edition of *The Best Lawyers in America*

January 31, 2019

Fish & Richardson Named #1 Patent Litigator Firm for Defendants in the U.S. for 2018 by *Managing Intellectual Property*

December 12, 2017

Fish & Richardson Wins Federal Circuit Affirmation of \$1M in Attorneys Fees for Bed Bath & Beyond in Patent Dispute

August 2, 2017

Fish & Richardson Partner David Conrad Named 2017 "Lawyer on the Rise" by *Texas Lawyer*

May 19, 2016

Five Fish & Richardson Attorneys Highlighted on 2016 Texas Super Lawyers List

Events

May 25, 2022

Texas General Counsel Forum: Negotiation Ethics CLE Presentation

September 8, 2020

POPP Chat Channel - Computer: Data Scraping and Trade Secret Law

January 19, 2017

POPP Chat Channel: Evidence of Prior Art at the PTAB: Rigorous Proof, or Else

Additional Insights

Publications

- "Federal Circuit Rules No "Prevaling Party" for Attorneys' Fees under § 285 after Plaintiff's Voluntary Dismissal – Even Where Defendant Invalidates Patent- In-Suit," *Fish Litigation Blog* (April 2020)
- "Mining the Patent Thicket: The Supreme Court's Rejection of the Automatic Injunction Rule in *eBay v. MercExchange*," *Litig.* 26, 119 (2007)

Speaking engagements

- "Website Scraping and Computer v. Newman," Webinar, *Intellectual Property Owners (IPO) Association* (September 2020)
- "Trade Secrets: Protection and Defense in the New Remote Environment," *Texas General Counsel Forum* (June 2020)
- "Evidence of Prior Art at the PTAB: Rigorous Proof, or Else," *Intellectual Property Owners Association Webinar* (January 2017)

Media mentions

- "Remote Litigation Drove May Shape Court Selection: Counsel," *Managing IP* (August 24, 2022)
 - "Hackers Bombarded Zoom Conference With AG on Line: 5 Tips for Lawyers," *Law.com* (April 3, 2020)
 - "Content Advocacy Tips For Remote Hearings During COVID-19," *Law360* (March 30, 2020)
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Services

Litigation

Patent Litigation

Trademark, Copyright & Media Litigation

Trade Secret Litigation
Appellate
Inter Partes Review

Industries

Electrical & Computer Technology
Software & Internet
Hardware
Semiconductors
Artificial Intelligence
Telecommunications

Admissions

U.S. Patent and Trademark Office (2007)
Texas (2007)
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of Texas
U.S. District Court for the Western District of Texas
U.S. District Court for the Northern District of Illinois

Education

J.D. with honors, University of Texas at Austin School of Law (2007) Associate Editor, *The Review of Litigation*
B.S., Electrical Engineering, University of Texas at Austin (2001)



Neil J. McNabnay

Principal
Dallas
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Overview

Neil McNabnay's practice emphasizes patent litigation for clients in diverse industries, including software, hardware, transportation, financial services, semiconductors, telecommunications and aerospace/defense.

Neil has substantial experience serving as defense counsel to multiple clients in large scale patent litigation. Previously, Neil was a clerk to the Honorable A. Joe Fosh, U.S. District Court for the Northern District of Texas (1997-1998).

Experience

Texas Instruments Incorporated v. Hyundai Electronics Industries Co., Ltd. – Represented T in three cases in the E.D. Tex. and nine others filed around the world 1998. Obtained a settlement, valued at over \$1.2 billion, in favor of T after taking the first of over 30 semiconductor patents to trial in the E.D. Tex. and winning.

F&G Scrolling Mouse, LLC v. IBM Corporation (M.D.N.C. 1999) – Obtained an extremely favorable settlement for BM in defense of a patent infringement suit concerning scrolling mouse technology.

Alcatel USA, Inc. v. Tekelec, Inc. (E.D. Tex. 2000) – Obtained a favorable settlement for Alcatel by asserting two patents related to the routing of query messages by a signaling transfer point in a telecommunications network.

National Presort, Inc. v. Bell & Howell Company Postal Systems, Inc. (N.D. Tex. 2001) – Obtained an extremely favorable settlement for Bell & Howell in defense of a patent infringement suit involving mail sorting technology.

Air Measurement Technologies, Inc. v. Scott Technologies, Inc. (W.D. Tex. 2001) and *Air Measurement Technologies, Inc. v. Bacou USA Safety, Inc.* (W.D. Tex. 2001) – Counsel for Scott and Bacou. Obtained a favorable settlement in defending against five patents relating to breathing apparatuses for firefighters.

Universal Surveillance Systems, Inc. v. Sensormatic Electronics Corporation (S.D. Fla. 2002) – Obtained a jury verdict in favor of Sensormatic, including an award of damages and permanent injunction, with respect to a Sensormatic patent covering electronic article surveillance technology.

Texas Instruments Incorporated v. Intergraph Corporation (Two cases in the E.D. Tex. 2003) – Obtained a favorable settlement for T by asserting three patents related to computer clock speed control and an intelligent power switch and defending against three patents related to parallel processing.

Symbol Technologies, Inc. v. Hand Held Products, Inc. v. Avnet, Inc. (D. Del. 2003) – Obtained an extremely favorable settlement for Avnet in a patent infringement suit concerning 802.11a/g wireless cards.

Verve, LLC v. 3M Company (E.D. Tex. 2004) – Obtained an extremely favorable settlement for 3M in defending a patent infringement suit involving optical fiber network design.

Lonestar Inventions, LP v. Marvell Semiconductor, Inc. (W.D. Tex. 2004) – After successfully arguing a motion to transfer to the N.D.

Ca., obtained a favorable settlement for Marvel in defense of a patent infringement suit involving a high capacity structure in a semiconductor device.

Motorola, Inc. and Freescale Semiconductor, Inc. v. Micron Technology, Inc. (W.D. Tex. 2004) – Obtained an extremely favorable settlement for Micron in a patent infringement suit involving 34 mobile phone, semiconductor processing, and circuit patents asserted by Motorola/Freescale and Micron.

Wichita Falls Power Management, LLC v. Intel Corporation (N.D. Tex. 2005) – Obtained dismissal for Intel in a patent infringement suit involving microprocessor power management.

TronTech Licensing Incorporated v. Uniden America Corporation (E.D. Tex. 2006) – After navigating 8 claims based on indefiniteness at Markman hearing, obtained favorable settlement for Uniden in patent infringement suit involving cordless telephone answer machine technology.

DDR Holdings, LLC v. Travelocity.com LP and Site59.com, LLC (E.D. Tex. 2006); *DDR Holdings, LLC v. Internetwork Publishing Corporation d/b/a Lodging.com and Neat Group Corporation* (E.D. Tex. 2006); *DDR Holdings, LLC v. Expedia, Inc. and Hotels.com, LP* (E.D. Tex. 2006) – After reexamination of patents-in-suit, obtained settlements for Travelocity/Site 59, Lodging.com/Neat Group, and Expedia/Hotels.com in patent infringement suits involving co-branding and private labeling of a website.

Constellation IP, LLC (n/k/a Presentation Specialist Technologies, LLC) v. Travelocity.com, LP and Sabre Holdings Corporation (E.D. Tex. 2006); *Constellation IP, LLC v. Travelport, Inc., Orbitz, LLC, Orbitz Away, LLC, Trip Network, Inc. (d/b/a CheapTickets), Galileo International, LLC, and LQ Management LLC* (E.D. Tex. 2007); and *Constellation IP, LLC v. Netflix, Inc., IAC/InterActiveCorp, and Match.com, LLC* (E.D. Tex. 2007) – Obtained dismissal for Sabre and Travelport, and favorable settlements for Travelocity, Orbitz, CheapTickets, Galileo, La Quinta, Netflix, AC/InterActiveCorp, and Match.com, by defending patent infringement suits concerning an electronic, customized, presentation system that creates a visual impression characteristic that the customer associates with the server.

Clear with Computers, LLC (f/k/a Orion IP, LLC) v. Isuzu Motors America, Inc. (E.D. Tex. 2007); *Clear with Computers, LLC v. Canon U.S.A., Inc., Uniden America Corporation, Kohler Co., Callaway Golf Company, Plantronics, Inc., Altec Lansing Technologies, Inc., Haier America Trading, LLC, Bed Bath & Beyond, Inc., Buy Buy Baby, Inc., Dillard's, Inc., The Gap, Inc., Banana Republic LLC, Old Navy LLC, Guess? Inc., Saks Incorporated, Club Libby Lu, Inc., Limited Brands, Inc., Victoria's Secret Stores, LLC, Urban Outfitters, Inc., Anthropologie, Inc., and Free People, LLC* (E.D. Tex. 2008); *Clear with Computers, LLC v. Bassett Furniture Industries, Inc., The Boeing Company, Brunswick Corporation, Sea Ray Boats, Inc., Boston Whaler, Inc., Cabela's, Inc., eBay, Inc., Halliburton Company, Herman Miller, Inc., Pitney Bowes, Inc., Polaris Industries, Inc., QVC, Inc., and Tommy Hilfiger USA, Inc.* (E.D. Tex. 2009); *Clear with Computers, LLC v. Hyundai Heavy Industries Co., Ltd., Chico's Brands Investments, Inc., and Pacific Sunwear of California, Inc.* (E.D. Tex. 2009); *Clear With Computers, LLC v. Kubota Tractor Corporation* (E.D. Tex. 2012); and *Clear With Computers, LLC v. Valmont Industries, Inc.* (E.D. Tex. 2013) – Obtained dismissal for Club Libby Lu and favorable settlements for Isuzu, Canon, Uniden, Kohler, Callaway, Plantronics, Altec Lansing, Haier, Bed Bath & Beyond, Buy Buy Baby, Dillard's, Gap, Banana Republic, Old Navy, Guess?, Saks, Limited Brands, Victoria's Secret, Urban Outfitters, Anthropologie, Free People, Bassett, Boeing, Brunswick, Sea Ray, Boston Whaler, Cabela's, eBay, Halliburton, Herman Miller, Pitney Bowes, Polaris, QVC, Tommy Hilfiger, Hyundai, Chico's, PacSun, Kubota, and Valmont in patent infringement suits concerning electronic proposal preparation system patents and a computer assisted parts sales method patent.

Gemini IP, LLC v. Citrix Systems, Inc. (E.D. Tex. 2007) – Obtained a favorable settlement for Citrix in patent infringement suit concerning remote access software.

Accolade Systems LLC v. Citrix Systems, Inc. (E.D. Tex. 2007) – Obtained summary judgment for Citrix in patent infringement case involving remote access software by successfully arguing that Citrix had been released pursuant to a co-Defendant's settlement agreement with the Plaintiff.

MHL Tek, LLC v. Subaru of America, Inc., Subaru of Indiana Automotive, Inc., and Fuji Heavy Industries, Ltd. (E.D. Tex. 2007 and Fed. Cir.) and *MHL Tek, LLC v. Mitsubishi Motors North America, Inc.* (E.D. Tex. 2008) – Obtained dismissal of Fuji, dismissal of two of three asserted patents based on a lack of standing, and summary judgment of non-infringement with respect to the third asserted patent for Subaru of America and Subaru of Indiana Automotive in case involving tire pressure monitoring system patents. The

Federal Circuit affirmed the District Court's lack of standing ruling and found the District Court's non-infringement ruling moot after holding that there was a standing problem with the third patent as well (and thus reversing the District Court's ruling on the third patent standing issue). A so obtained dismissal for Mitsubishi Motors in a separate action.

Parallel Networks, LLC v. Netflix, Inc. (E.D. Tex. 2007); *Parallel Networks, LLC v. Orbitz, LLC and Priceline.com, Inc.* (E.D. Tex. 2008); and *Parallel Networks, LLC v. Orbitz Worldwide, Inc.* (E.D. Tex. 2010) – After obtaining a favorable claim construction ruling on behalf of Netflix, Orbitz, and Priceline, which led to the effective invalidity of the two patents in suit, the Plaintiff abandoned its case two days before the Court's hearing on Netflix's, Orbitz's, and Priceline's motion for summary judgment of invalidity by filing a covenant not to sue Netflix, Orbitz, and Priceline, an emergency motion to cancel the invalidity hearing, and a motion to dismiss Netflix, Orbitz, and Priceline with prejudice. The two patents in suit relate to the concept of offloading dynamic web page generation requests from a web server to an application server.

DataTern, Inc. v. Avis Budget Group, Inc. and Hertz Corporation (E.D. Tex. 2009); *DataTern, Inc. v. ConocoPhillips Company* (E.D. Tex. 2009); *DataTern, Inc. v. The Bank of New York Mellon Corporation, Eagle Investment Systems LLC, Pershing LLC, and Goldman, Sachs & Co.* (E.D. Tex. 2010); *DataTern, Inc. v. Iron Mountain, Inc.* (E.D. Tex. 2010); *DataTern, Inc. v. URS Corporation* (E.D. Tex. 2010); and *DataTern, Inc. v. Harley-Davidson, Inc.* (E.D. Tex. 2011) – Obtained favorable settlements for Avis Budget, Hertz, ConocoPhillips, Bank of New York Mellon, Eagle Investment, Pershing, Goldman Sachs, Iron Mountain, URS, and Harley-Davidson in patent infringement suits concerning middleware software that facilitates communication between an object oriented program and a relational database.

TQP Development, LLC v. Barclays Bank PLC and Amazon.com, Inc. (E.D. Tex. 2009); *TQP Development, LLC v. Ticketmaster Entertainment, Inc.* (E.D. Tex. 2009); *TQP Development, LLC v. Delta Air Lines, Inc., BigMachines, Inc., Transamerica Life Insurance Company, and Bank of New York Mellon Corporation* (E.D. Tex. 2010); *TQP Development, LLC v. Allianz Life Insurance Company of North America, CNA Financial Corporation, Dodge & Cox, OppenheimerFunds, Inc., Nationwide Investment Services Corporation, and Nationwide Mutual Insurance Company* (E.D. Tex. 2011); *TQP Development, LLC v. CHS, Inc., New York Life Insurance Company, New York Life Insurance and Annuity Corporation, and Massachusetts Mutual Life Insurance Company* (E.D. Tex. 2011); *TQP Development, LLC v. Orbitz, LLC, Hotwire, Inc., and Expedia, Inc.* (E.D. Tex. 2011); *TQP Development, LLC v. Deere & Company* (E.D. Tex. 2011); *TQP Development, LLC v. PepsiCo, Inc.* (E.D. Tex. 2011); *TQP Development, LLC v. Oriental Trading Company, Inc.* (E.D. Tex. 2012); *TQP Development, LLC v. Google Inc.* (E.D. Tex. 2012); *TQP Development, LLC v. Hertz Corporation* (E.D. Tex. 2012); *TQP Development, LLC v. Carestream Health, Inc.* (E.D. Tex. 2014); *TQP Development, LLC v. Bed Bath & Beyond* (E.D. Tex. 2014); *TQP Development, LLC v. Brooks Brothers Group, Inc.* (E.D. Tex. 2014); *TQP Development, LLC v. Frontier Airlines, Inc.* (E.D. Tex. 2014); and *TQP Development, LLC v. Allied Electronics, Inc.* (E.D. Tex. 2014) – Obtained summary judgment of non-infringement for Hertz in suit involving SSL technology. A so obtained dismissal of Ticketmaster, CHS, MassMutua, Oriental Trading, Carestream Health, Bed Bath & Beyond, Brooks Brothers, Frontier Airlines, and Allied Electronics and favorable settlements for Barclays, Amazon, Delta, BigMachines, Transamerica, Bank of New York Mellon, Oppenheimer, Nationwide, New York Life, Allianz, CNA Financial, Orbitz, Hotwire, Deere, PepsiCo, Expedia, and Google.

Landmark Technology, LLC v. Fossil, Inc., Coach, Inc., and Select Comfort Corporation (E.D. Tex. 2009); *Landmark Technology, LLC v. Tiffany & Co., Dillard's, Inc., Urban Outfitters, Inc., CVS Caremark Corp., and RadioShack Corp.* (E.D. Tex. 2010); *Landmark Technology, LLC v. Hastings Entertainment, Inc., Books-A-Million, Inc., Tuesday Morning Corporation, BJ's Wholesale Club, Inc., and Ulta Salon, Cosmetics & Fragrance, Inc.* (E.D. Tex. 2010); *Landmark Technology, LLC v. Tech for Less, Inc.* (E.D. Tex. 2011); *Landmark Technology, LLC v. Wolverine World Wide, Inc.* (E.D. Tex. 2012); *Landmark Technology, LLC v. Jos. A. Bank Clothiers, Inc.* (E.D. Tex. 2012); *Landmark Technology, LLC v. Fifth & Pacific Companies, Inc., Kate Spade, LLC, Juicy Couture, Inc., and Lucky Brand Dungarees, Inc.* (E.D. Tex. 2012); *Landmark Technology, LLC v. Briggs & Stratton Corporation* (E.D. Tex. 2013); *Landmark Technology, LLC v. The Jones Group Inc.* (E.D. Tex. 2013); and *Landmark Technology, LLC v. Harley-Davidson, Inc.* (E.D. Tex. 2014) – Obtained extremely favorable settlements for Fossil, Coach, Select Comfort, Tiffany, Dillard's, Urban Outfitters, CVS, RadioShack, Hastings, Books-A-Million, Tuesday Morning, BJ's Wholesale, Ulta, Tech for Less, Wolverine, Jos. A. Bank, Fifth & Pacific/Kate Spade/Juicy/Lucky, Briggs & Stratton, Jones Group, and Harley-Davidson in patent infringement actions relating to e-commerce technology.

WebMap Technologies LLC v. Travelocity.com, Inc., Expedia, Inc., TripAdvisor LLC, IAC/InterActiveCorp, Citysearch, LLC, and City Accommodations Network, Inc. (E.D. Tex. 2009) – Obtained favorable settlements for Travelocity, Expedia/TripAdvisor, AC/Citysearch, and City Accommodations Network in patent infringement suit against Acacia entity WebMap concerning interactive website mapping technology.

EMG Technology, LLC v. Priceline.com, Inc. (E.D. Tex. 2009); *EMG Technology, LLC v. Barnes & Noble, Inc.* (E.D. Tex. 2009); *EMG Technology, LLC v. Burger King Holdings, Inc., McDonald's Corporation, and Domino's Pizza, Inc.* (E.D. Tex. 2010); *EMG Technology, LLC v. Avis Budget Group, Inc., Kohl's Corporation, and Tiffany & Co.* (E.D. Tex. 2011); *EMG Technology, LLC v. Goodyear Tire & Rubber Company* (E.D. Tex. 2012); *EMG Technology, LLC v. Romano's Macaroni Grill Inc.* (E.D. Tex. 2013); and *EMG Technology, LLC v. Doctor's Associates Inc. d/b/a Subway* (E.D. Tex. 2014) – Obtained summary judgment of Domino's, Romano's, and Subway and favorable settlements for Priceline, Barnes & Noble, Burger King, McDonald's, Tiffany, Kohl's, Avis Budget, and Goodyear, in patent infringement suits involving mobile wireless web browsing technology.

SFA Systems, LLC v. Barnes & Noble Inc., Barnesandnoble.com LLC, and J&R Electronics Inc. (E.D. Tex. 2009); *SFA Systems, LLC v. BigMachines, Inc., Carestream Health, Inc., Ricoh Americas Corporation, and Enterasys Networks, Inc.* (E.D. Tex. 2010); and *SFA Systems, LLC v. Dollar Tree, Inc.* (E.D. Tex. 2010) – Obtained favorable settlements for Barnes & Noble, J&R, BigMachines, Carestream, Ricoh, Enterasys, and Dollar Tree in patent infringement suits concerning computerized sales force automation.

Phoenix Licensing, L.L.C. v. Barclays PLC, Barclays Bank PLC, and Barclays Bank Delaware (E.D. Tex. 2009); *Phoenix Licensing, L.L.C. v. Comerica Inc., M&I Marshall & Ilsley Bank, M&I FSB, Transamerica Affinity Services, Inc., AEGON USA, Inc., AEGON Direct Marketing Services, Inc., Stonebridge Life Insurance Company, and Monumental Life Insurance Company* (E.D. Tex. 2010); *Phoenix Licensing, L.L.C. v. Colonial Penn Life Insurance Company, CNO Financial Group, Inc., CUNA Mutual Insurance Agency, Inc., CUNA Mutual Insurance Society, CUNA Mutual Life Insurance Co., and Members Life Insurance Co.* (E.D. Tex. 2011); *Phoenix Licensing, L.L.C. v. Sovereign Bank* (E.D. Tex. 2011); and *Phoenix Licensing, L.L.C. v. Nationwide Mutual Insurance Company, Nationwide Bank, Nationwide Investment Services Corporation, Nationwide Property & Casualty Company, Nationwide Lloyds Company, and Allied Property and Casualty Insurance Company* (E.D. Tex. 2012) – Obtained summary judgment for Comerica, CUNA, Sovereign, Colonial, and Nationwide, and settlements for Barclays, Transamerica/AEGON/Stonebridge/Monumental, and M&I, in patent infringement suits involving e-commerce technology.

Realtime Data, LLC d/b/a IXO v. Penson Worldwide, Inc. (E.D. Tex. 2009) – Obtained summary judgment of Penson in patent infringement action relating to accelerated data storage, retrieval, and compression methods.

Stambler v. Ticketmaster Entertainment, Inc., Expedia, Inc., Hotels.com, LP, Sabre Holdings Corporation, and Travelocity.com LP (E.D. Tex. 2009); *Stambler v. USAA Federal Savings Bank and MoneyGram International, Inc.* (E.D. Tex. 2010); *Stambler v. Atmos Energy Corp., Orbitz Worldwide, Inc., Orbitz, LLC, and Priceline.com, Inc.* (E.D. Tex. 2010); and *Stambler v. First Citizens Bank & Trust Company and First Citizens Bancshares, Inc.* (E.D. Tex. 2012) – Obtained favorable settlements for Ticketmaster, Expedia, Hotels.com, Sabre, Travelocity, USAA, MoneyGram, Atmos, Orbitz, Priceline, and First Citizens in patent infringement actions relating to SSL authentication and encryption.

Parallel Networks, LLC v. Netflix, Inc. (E.D. Tex. 2010 and Fed. Cir. 2013); *Parallel Networks, LLC v. Flairview Travel PTY Ltd. and Flightbookers Ltd.* (E.D. Tex. 2010 and Fed. Cir. 2013); *Parallel Networks, LLC v. TripAdvisor LLC, IAC/InterActiveCorp, Tiffany and Company, Brain Busters, LLC, Brawn, LLC, US Airways, Inc., Delta Air Lines, Inc., Oriental Trading Company, Inc., Cabela's, Inc., Barnes & Noble, Inc., Barnesandnoble.com, LLC, Onestop Internet, Inc., and Iconix Brand Group, Inc.* (E.D. Tex. 2010 and Fed. Cir. 2013); *Parallel Networks, LLC v. Orbitz, LLC, Orbitz Worldwide, Inc., Kayak Software Corporation, Shoebuy.com, Inc., Musician's Friend, Inc., Andersen Windows, Inc., Mitsubishi Motors North America, Inc., Wolverine World Wide, Inc., Sunglass Hut Trading, LLC, The Goodyear Tire & Rubber Company, Citizen Watch Company of America, Inc., Dillard's, Inc., Subaru of America, Inc., ASICS America Corporation, Jones Investment Company, Inc., and Jones Retail Corporation* (E.D. Tex. 2010 and Fed. Cir. 2013); and *Parallel Networks, LLC v. Fossil, Inc. and Brooks Brothers, Inc.* (D. De. 2012) – In the first ever Markman/Summary Judgment procedure ever implemented in the Eastern District of Texas, obtained summary judgment of non-infringement for Netflix, Flairview Travel, Flightbookers, TripAdvisor, IAC/InteractiveCorp, Brain Busters, LLC, Brawn, US Airways, Delta Air Lines, Oriental Trading, Cabela's, Barnes & Noble, Onestop Internet, Iconix, Sunglass Hut, Goodyear, Citizen Watch, Dillard's, Subaru, ASICS, and Jones Retail in patent infringement suits involving the dynamic generation of an applet (and Parale's assertion that its patent reads on the use of AJAX – asynchronous JavaScript and XML). The Federal Circuit affirmed the non-infringement ruling. Also obtained second summary judgment of non-infringement for Orbitz, Kayak, Shoebuy, Musician's Friend, Andersen Windows, Wolverine World Wide, Fossil, and Brooks Brothers and favorable settlements for Tiffany and Mitsubishi.

Microlog Corp. v. CVS Pharmacy, Inc. and La Quinta Corporation (E.D. Tex. 2010) – Obtained extremely favorable settlement for CVS and La Quinta in patent infringement action relating to unified customer contact technology.

Condatis LLC v. Bombardier Inc., Brunswick Corporation, Mercury Marine, and Cummins MerCruiser Diesel Marine (E.D. Tex. 2010) – Obtained extremely favorable settlement for Bombardier, Brunswick, Mercury Marine, and Cummins MerCruiser on patent infringement case concerning real time sensing of parameters in a powered vehicle.

Abridge Technology (f/k/a Actus, LLC) v. MoneyGram International, Inc. (E.D. Tex. 2010) and *Abridge Technology v. Doctor's Associates Inc. d/b/a Subway* (E.D. Tex. 2011) – Obtained dismissal of MoneyGram, and extremely favorable settlement for Subway, on patent infringement suits relating to electronic token payment technology.

Ganas, LLC v. Sabre Holdings Corporation (E.D. Tex. 2010) – Obtained favorable settlement for Sabre on patent infringement case relating to internet rewrite technology.

CEATS, Inc. v. United Air Lines, Inc., Continental Airlines, Inc., Delta Air Lines, Inc., US Airways, Inc., Virgin America, Inc., Ticketmaster, LLC, Live Nation Worldwide, Inc., and TicketsNow.com, Inc. (E.D. Tex. 2010 and Fed Cir.) – Pursuant to jury trial, nva dated 4 claims from 4 patents on behalf of United, Continental, Delta, US Airways, Virgin, Ticketmaster, Live Nation, and TicketsNow based on anticompetition and obviousness in patent infringement suit concerning interactive seat map technology. The Federal Circuit affirmed the jury's nva'd verdict on appeal.

Global Sessions LP v. Orbitz Worldwide, Inc., Orbitz Worldwide, LLC, Orbitz, Inc., Orbitz, LLC, and Trip Network, Inc. (d/b/a CheapTickets) (E.D. Tex. 2010) and *Global Sessions LP v. Priceline.com, Inc.* (E.D. Tex. 2010) – Obtained favorable settlements for Orbitz and Priceline in cases concerning global session state server technology.

GeoTag, Inc. v. Dollar Tree, Inc. (E.D. Tex. 2010); *GeoTag, Inc. v. Hinkley Lighting, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Seven For All Mankind, LLC* (E.D. Tex. 2010); *GeoTag, Inc. v. Richemont North America, Inc. and Van Cleef & Arpels, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Sterling Jewelers, Inc. and Kay Jewelers, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. ASICS Corporation and ASICS America Corporation* (E.D. Tex. 2010); *GeoTag, Inc. v. Brookstone Company, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. BJ's Wholesale Club, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Tiffany & Co.* (E.D. Tex. 2010); *GeoTag, Inc. v. Chanel, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. The Sports Authority, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Cabela's, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. CiCi Enterprises, LP* (E.D. Tex. 2010); *GeoTag, Inc. v. Rhino Linings Corp.* (E.D. Tex. 2010); *GeoTag, Inc. v. Interstate Battery System of America, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Southern States Cooperative* (E.D. Tex. 2010); *GeoTag, Inc. v. Winn-Dixie Stores, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Best Maid Products, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. PIP, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Learning Express Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. TASER International, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Kohler Co.* (E.D. Tex. 2010); *GeoTag, Inc. v. Kubota Corporation and Kubota Tractor Corporation* (E.D. Tex. 2010); *GeoTag, Inc. v. Gates That Open, LLC* (E.D. Tex. 2010); *GeoTag, Inc. v. Mexican Restaurants, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. The Boeing Company* (E.D. Tex. 2010); *GeoTag, Inc. v. Polo Ralph Lauren Corp. and Ralph Lauren Media, LLC* (E.D. Tex. 2010); *GeoTag, Inc. v. Burger King Corp.* (E.D. Tex. 2010); *GeoTag, Inc. v. Jack in the Box, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Dollar Rent A Car, Inc. and Dollar Thrifty Automotive Group, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Avis Budget Group, Inc. and Avis Rent A Car System, LLC* (E.D. Tex. 2010); *GeoTag Inc. v. Payless Car Rental System, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. Ticketmaster, LLC, Ticketmaster Entertainment, LLC, Live Nation Entertainment, Inc., and Live Nation Worldwide, Inc.* (E.D. Tex. 2010); *GeoTag, Inc. v. RadioShack Corp.* (E.D. Tex. 2010); *GeoTag, Inc. v. Ulta Salon, Cosmetics & Fragrance, Inc.* (E.D. Tex. 2011); *GeoTag, Inc. v. American Greetings Corporation* (E.D. Tex. 2011); *GeoTag, Inc. v. Vitamin Cottage Natural Foods Markets, Inc.* (E.D. Tex. 2011); *GeoTag, Inc. v. David's Bridal Inc.* (E.D. Tex. 2011); *GeoTag, Inc. v. Formal Specialists, Ltd.* (E.D. Tex. 2011); *GeoTag, Inc. v. Guess? Inc.* (E.D. Tex. 2011); *GeoTag, Inc. v. Hot Topic Inc.* (E.D. Tex. 2011); *GeoTag, Inc. v. Luxottica Retail North America Inc.* (E.D. Tex. 2011); and *GeoTag, Inc. v. Charming Shoppes Inc.* (E.D. Tex. 2011) – Obtained dismissal for Ralph Lauren, Burger King, Jack in the Box, Dollar Thrifty, Avis Budget, Ticketmaster/Live Nation, RadioShack, Luxottica, and Charming on patent infringement suits relating to website store location technology. Also obtained favorable settlements for Dollar Tree, Hinkley Lighting, Seven For All Mankind, Richemont, Sterling Jewelers, ASICS, Brookstone, BJ's, Tiffany, Chanel, Sports Authority, Cabela's, Cc's, Rhino Linings, Interstate Battery, Southern States Cooperative, Winn-Dixie, Best Maid, PIP, Learning Express, TASER, Kohler, Kubota, Gates Than Open, Mexican Restaurants, Ulta, American Greetings, Vitamin Cottage, David's Br da, Formal Spec a sts, Guess?, Hot Top c, and Boe ng.

Innovatio IP Ventures, LLC v. LQ Management LLC (N.D. . 2011) – Obtained favorable settlement for LaQuinta on connection with patent infringement suit involving WF technology.

Unified Messaging Solutions LLC v. Atmos Energy Corp., Atmos Energy Services, LLC, Reliant Energy Retail Holdings, LLC, and TXU Energy Retail Company LLC (E.D. Tex. 2011); *Unified Messaging Solutions LLC v. Match.com, Inc., eHarmony, Inc., and LinkedIn*

Corporation (E.D. Tex. 2011); *Unified Messaging Solutions, LLC v. United Service Automobile Association* (W.D. Tex. 2013 and MDL N.D.); *Unified Messaging Solutions, LLC v. BBVA Compass Bancshares, Inc.* (W.D. Tex. 2013 and MDL N.D.); and *Unified Messaging Solutions LLC v. First Citizens* (N.D. Tex. 2013 and MDL N.D.) – After obtaining favorable claim construction resulting in non-infringement by entities USAA and BBVA Compass in cases involving web marketing technology, Unified Messaging took adverse judgment. Obtained favorable settlements for Atmos, Rent, TXU, Match, eHarmony, LinkedIn, and First Citizens.

Dexas International, Ltd. v. Dollar Tree Stores, Inc. and Greenbrier International, Inc. (E.D. Tex. 2011) – Obtained favorable settlement for Dollar Tree in patent infringement suit concerning a cutting board scoop.

Ogma, LLC v. Haier Group Company and Haier America Trading, LLC (E.D. Tex. 2011) – Obtained extremely favorable settlement for Haier in patent infringement case concerning HDTV aspect ratio technology.

H-W Technology L.C. v. Orbitz Worldwide, Inc. (N.D. Tex. 2011) – Obtained extremely favorable settlement for Orbitz in patent infringement action relating to the use of a smartphone to access a mobile website to order goods and services.

ArrivalStar S.A. v. True Religion Sales, LLC (S.D. Fla. 2011); *ArrivalStar S.A. v. Virgin America, Inc.* (N.D. . 2011); *ArrivalStar S.A. v. Coach, Inc.* (S.D. Fla. 2012); and *ArrivalStar S.A. v. Gatorade* (S.D. Fla. 2013) – Obtained extremely favorable settlements for True Religion, Virgin, Coach, and Gatorade in patent infringement cases concerning vehicle monitoring and notification systems.

Alloqate, LLC v. Orbitz, LLC, Expedia, Inc., Hotwire, Inc., Travelocity.com LP, and Kayak Software Corporation (D. De. 2011) – Obtained dismissal for Orbitz, Expedia, and Hotwire, and extremely favorable settlements for Travelocity and Kayak, in connection with patent infringement suit relating to website price alert technology.

LBS Innovations LLC v. Hotels.com, LP (E.D. Tex. 2011) – Obtained dismissal for Hotels.com in patent infringement suit relating to website geographic search locator feature.

Valmont Industries, Inc. v. Lindsay Corporation (E.D. Tex. 2011) – Obtained favorable settlement for Valmont in patent infringement suit involving variable application of irrigation water and chemicals.

Variant, Inc. v. Dollar Rent A Car, Inc. and Dollar Thrifty Automotive Group, Inc. (E.D. Tex. 2011); *Variant, Inc. v. Hertz Corporation and Avis Budget Group, Inc.* (E.D. Tex. 2011) – Obtained favorable settlements for Dollar Thrifty, Hertz, and Avis Budget in patent infringement suits involving e-commerce technology.

Reshare Commerce, LLC v. Nationwide Mutual Insurance Company (D. Minn. 2011) – Obtained extremely favorable settlement for Nationwide in patent infringement action involving a computerized sales system.

Network Signatures, Inc. v. Nationwide Mutual Insurance Company (C.D. Cal. 2011) – Obtained extremely favorable settlement for Nationwide in patent infringement suit involving SSL encryption.

Select Retrieval, LLC v. Tiffany & Co., Oriental Trading Company, Inc., Tech for Less, Inc., and Hanover Direct, Inc. (D. De. 2011) – Obtained dismissal of Oriental Trading, and extremely favorable settlements for Tiffany, Tech For Less, and Hanover Direct in connection with patent infringement action involving e-commerce technology.

Walker Digital, LLC v. Expedia, Inc. (D. De. 2011) – On behalf of Expedia, obtained dismissal of one lawsuit and summary judgment in two additional lawsuits in 3 e-commerce cases against Jay Walker's Walker Digital entity.

ICON Internet Competence Network B.V. v. Travelocity LP (N.D. Tex. 2011 and Fed. Cir. 2014) – Obtained summary judgment of non-infringement for Travelocity within weeks of trial in suit involving hotel search technology. The Federal Circuit affirmed the non-infringement ruling. After an award of costs to Travelocity and facing Travelocity's motion for attorneys' fees, ICON assigned its patent to Travelocity.

DietGoal Innovations LLC v. Doctor's Associates Inc. d/b/a Subway (E.D. Tex. 2011); *DietGoal Innovations LLC v. Red Robin International, Inc.* (E.D. Tex. 2011); and *DietGoal Innovations LLC v. Chipotle Mexican Grill, Inc.* (E.D. Tex. 2012) – Obtained summary judgment of invalidity based on Section 101 in patent infringement actions relating to electronic meal planning systems.

LVL Patent Group, LLC v. Hertz Corporation (D. De . 2011); *LVL Patent Group, LLC v. Avis Budget Group, Inc.* (D. De . 2011); and *LVL Patent Group, LLC v. Orbitz Worldwide, LLC* (D. De . 2011) – Obtained summary judgment of invalidity based on Section 101 in patent infringement suits concerning processing of data transmitted via a smartphone.

SmartFit Solutions LLC v. BJ's Wholesale Club, Inc. (E.D. Tex. 2011) – Obtained dismissal for BJ's in patent infringement case involving exercise equipment software.

Disposition Services LLC v. Arrow-Intechra LLC (E.D. Tex. 2012) – Obtained extremely favorable settlement for Arrow-Intechra in patent infringement action involving a method of controlled asset distribution (e.g., disassembly of computers and sale of the parts).

MacroSolve, Inc. v. LQ Management LLC (E.D. Tex. 2012) and *MacroSolve, Inc. v. Bed Bath & Beyond, Inc.* (E.D. Tex. 2012) – Obtained extremely favorable settlements for La Quinta and Bed Bath & Beyond in patent infringement suits involving a system for collecting information from multiple computing devices.

Cronos Technologies, LLC v. Fossil, Inc. (E.D. Tex. 2012) – Obtained extremely favorable settlement for Fossil in patent infringement case involving a remote ordering system.

Interface IP Holdings LLC v. Delta Air Lines, Inc. (D. De . 2012) and *Interface IP Holdings LLC v. LQ Management LLC* (D. De . 2013) – Obtained extremely favorable settlements for Delta and La Quinta in patent infringement suits relating to a website dropdown menu interface.

Hopewell Culture & Design LLC v. Barnes & Noble, Inc. (E.D. Tex. 2012) – Obtained extremely favorable settlement for Barnes & Noble in patent infringement case involving interactivity with electronic content via a double click.

Orientview Technologies LLC v. Spy Inc. (D. De . 2012) and *Orientview Technologies LLC v. Seven For All Mankind, LLC* (S.D.N.Y. 2013) – Obtained extremely favorable settlements for Spy and Seven For a Mankind in patent infringement actions involving viewer specific presentation of information.

Pragmatus Telecom, LLC v. Oriental Trading Company, Inc. (D. De . 2012) – Obtained dismissal of Oriental Trading in patent infringement case involving internet live chat technology.

Traffic Information, LLC v. USAA Federal Savings Bank (E.D. Tex. 2013) – Obtained extremely favorable settlement for USAA in connection with patent infringement action relating to real time traffic display.

Infinite Data, LLC v. McDonald's Corporation (D. De . 2013) – Obtained dismissal of McDonald's in patent infringement suit involving non-Band Remote Direct Memory Access network technology.

CeeColor Industries LLC v. Citizen Watch Company of America, Inc. (D. De . 2013) – Obtained dismissal of Citizen Watch in patent infringement action involving an electronic device security system with proximity sensing.

Eclipse IP LLC v. Oriental Trading Company, Inc. (N.D. . 2013) and *Eclipse IP LLC v. Vitacost.com, Inc.* (C.D. Ca . 2013) – Obtained extremely favorable settlements for Oriental Trading and Vitacost in patent infringement actions concerning e-commerce notification technology.

Rotatable Technologies LLC v. TXU Energy Retail Company LLC (E.D. Tex. 2013 and Fed. Cir. 2014) – In light of favorable claim construction leading to non-infringement by client TXU in case involving smartphone screen rotation technology, Rotatable took adverse judgment and appealed to the Federal Circuit. The Federal Circuit affirmed.

Innovative Wireless Solutions, LLC v. LQ Management LLC and La Quinta Inn Worldwide, LLC (E.D. Tex. 2013) – Obtained dismissal for La Quinta in patent infringement action relating to wireless access point technology.

Innovative Automation v. Books-A-Million, Inc. (E.D. Tex. 2013) – Obtained favorable settlement for Books-a-Million in patent infringement suit involving digital data download technology.

RPost Holdings, Inc. v. Nationwide Mutual Insurance Company (E.D. Tex. 2013) – Obtained summary judgment of Nationwide in connection with patent infringement suit involving email authentication.

UbiComm, LLC v. Vitacost.com, Inc. (D. Del. 2013); and *UbiComm, LLC v. ModusLink Recovery LLC f/k/a Tech for Less LLC* (D. Del. 2013) – Obtained summary judgment of Vitacost and ModusLink after Section 101 invalidity ruling in suits concerning product suggestion technology.

Geomembrane Technologies, Inc. v. URS Corporation (C.D. Cal. 2013) – Obtained extremely favorable settlement for URS in patent infringement action relating to water carrier caton.

Telinit Technologies, LLC v. Uniden America Corporation (E.D. Tex. 2013) – Obtained extremely favorable settlement for Uniden in patent infringement suit relating to connecting two computers on a network via an intermediary static server.

Amethyst IP, LLC v. Uniden America Corporation (E.D.N.Y. 2013) – Obtained extremely favorable settlement for Uniden in patent infringement suit concerning baby monitor technology.

Annuitek, LLC v. USAA Life Insurance Company (E.D. Tex. 2013) – Obtained extremely favorable settlement for USAA in patent infringement action relating to electronic annuity illustrations.

eDekka LLC v. Tiffany & Co. (E.D. Tex. 2014); *eDekka LLC v. Jos. A. Bank Clothiers, Inc.* (E.D. Tex. 2014); *eDekka LLC v. Coach, Inc.* (E.D. Tex. 2014); and *eDekka LLC v. The Men's Wearhouse, Inc.* (E.D. Tex. 2014) – Obtained summary judgment of Tiffany, Jos. A. Bank, Coach, and The Men's Wearhouse in connection with patent infringement cases involving e-commerce shopping cart technology.

Execware, LLC v. Bed Bath & Beyond, Inc. (D. Del. 2014) – Obtained summary judgment of Bed Bath & Beyond in patent infringement action involving parameter search technology.

Antennatech, LLC v. Guess? Retail, Inc. (D. Del. 2014); *Antennatech, LLC v. Doctor's Associates Inc. d/b/a Subway* (D. Del. 2014); *Antennatech, LLC v. The Sports Authority, Inc.* (D. Del. 2014); *Antennatech, LLC v. McDonald's Corporation* (D. Del. 2014); *Antennatech, LLC v. AMC Entertainment Holdings, Inc.* (D. Del. 2014); and *Antennatech, LLC v. Regal Entertainment Group* (D. Del. 2014) – Obtained summary judgment of Guess?, Subway, Sports Authority, AMC Entertainment, and Regal Entertainment in connection with patent infringement actions involving Near Field Communication technology. Also obtained extremely favorable settlement for McDonald's.

Olivistar, LLC v. Uniden America Corporation (E.D. Tex. 2014); *Olivistar, LLC v. Protection One, Inc.* (E.D. Tex. 2014); *Olivistar, LLC v. Somfy Systems, Inc.* (E.D. Tex. 2014); and *Olivistar, LLC v. Loxone, Inc.* (E.D. Tex. 2014) – Obtained summary judgment for Protection One and extremely favorable settlements for Uniden, Somfy, and Loxone in connection with patent infringement actions relating to security and home automation networking.

Qcommerce Systems, LLC v. Cabela's Incorporated (E.D. Tex. 2014) – Obtained summary judgment for Cabela's in patent infringement suit involving e-commerce technology.

Recognitions & awards

Best Lawyers in America

Best Lawyers 2022-2023

Global Award for Aviation

Corporate LiveWire 2014, 2016

Candidate for Americas Most Honored Professional Award

American Registry 2015

Goba Awards- Intellectual Property and Aerospace & Defense

Corporate LiveWire 2015

Best Lawyers in Dallas

D Magazine 2015

Texas Rising Star

Super Lawyers 2007-2012

News

August 22, 2022

96 Fish Attorneys included in the 2023 Edition of *The Best Lawyers in America*

March 21, 2022

Fish Tops List of Most Active Firms for Patent Defense and PTAB Petitioner Work in 2021

August 19, 2021

Fish Attorneys Recognized in 2022 Edition of *The Best Lawyers in America*

January 31, 2019

Fish & Richardson Named #1 Patent Litigator Firm for Defendants in the U.S. for 2018 by *Managing Intellectual Property*

August 15, 2018

47 Fish Attorneys Named to The Best Lawyers in America 2019 List

December 12, 2017

Fish & Richardson Wins Federal Circuit Affirmation of \$1M in Attorneys Fees for Bed Bath & Beyond in Patent Dispute

April 23, 2015

Two Attorneys from Fish & Richardson Named Dallas Best by *D Magazine*

Services

Litigation

Patent Litigation

Industries

Semiconductors

Telecommunications

Transportation, Aerospace & Defense

Admissions

U.S. Patent and Trademark Office (2001)

Texas (1997)

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Western District of Texas

Clerkships

U.S. District Court for the Northern District of Texas, The Honorable A. Joe Fish, 1997-1998

Education

J.D. *cum laude*, University of Michigan Law School (1997) Executive Editor, *Michigan Telecommunications and Technology Law Review*

B.S. *summa cum laude*, Aerospace Engineering, University of Michigan (1994)



Philip Brown

Associate

Dallas

Phone: 214-292-4042

pgbrown@fr.com

Overview

Philip Brown practices intellectual property litigation. He has broad experience with a range of trial and pre-trial matters in district court litigation, arbitration, *inter partes* review, and the TC, including discovery; drafting primary filings for patent cases; and researching and drafting memos, briefs, and motions on issues including validity, infringement, and claim construction.

Philip has experience working with technology in a wide range of fields, including electronics, automotive, and medical devices. He has also practiced in the United States Patent and Trademark Office, assisting clients with drafting patent applications, reissue claims, and office action responses, as well as handling examiner interviews.

His technical background is in electrical engineering, with significant experience in software development and testing in the automotive industry. During law school, Philip was the executive editor of the *Michigan Telecommunications and Technology Law Review*.

Insights

Blog | January 4, 2023

Texas Patent Litigation Monthly Wrap-Up: December 2022

Blog | January 15, 2022

Texas Patent Litigation Monthly Wrap-Up: December 2021

Services

Litigation

Patent Litigation

Post-Grant

Industries

Electrical & Computer Technology

Digital Media & E-Commerce

Telecommunications

Medical Devices

Transportation, Aerospace & Defense

Manufacturing

Admissions

U.S. Patent and Trademark Office (2017)

nos (2021)

Texas (2022)

Education

J.D., University of Michigan Law School (2020) *Michigan Telecommunications and Technology Law Review*, Executive Editor

B.S.E. *summa cum laude*, Mechanical Engineering, University of Michigan (2016)

SIDLEY



ASSOCIATE

Collin J Marshall

Technology and Life Sciences Transactions

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COLLIN MARSHALL focuses his practice on advising clients on transactional matters related to technology and life sciences. Before joining Sidley, he was an associate at another international law firm where he was involved in patent litigation, inter partes review, and IP licensing.

Collin earned his J.D. from the University of Houston Law Center where he was a member of the Order of the Coif and graduated *magna cum laude*. He also served as articles editor of the *Houston Law Review*. During law school Collin was a judicial intern for The Honorable K. Nicole Mitchell of the Eastern District of Texas. Before law school, Collin was a structural engineer for a global aerospace and defense technology company. He has a B.S. in Aerospace Engineering from Texas A&M University.

PRO BONO

Ex Parte Clifton Lamar Williams. Applied for a writ habeas corpus in a capital case, proved intellectual disability, and reformed sentence from the death penalty to life imprisonment.

MEMBERSHIPS AND ACTIVITIES

- American Bar Association, IP member
- Dallas Bar Association
- Dallas Young Lawyers Association

SERVICES AND INDUSTRIES

Technology and Life Sciences Transactions

ADMISSIONS & CERTIFICATIONS

U.S. District Court, E.D. of Texas

U.S. District Court, W.D. of Texas

U.S. District Court, N.D. of Texas
U.S. District Court, S.D. of Texas
Texas

EDUCATION

University of Houston Law Center, J.D., 2018 (Magna cum laude, Houston Law Review Articles Editor, Houston Intellectual Property Law Association Student Scholarship Award, Dean's Scholarship Award)
Texas A&M University, B.S., 2013 (College of Engineering Student Scholar, Outstanding Academic Achievement Award)

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Nan Lan

Associate

Dallas

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nan@fr.com

Overview

Nan Lan lends her extensive experience in biotechnology engineering to a range of litigation matters. She returned to Fish after being a summer associate in the firm in 2019 and a judicial extern for the Honorable Amos L. Mazzant of the U.S. District Court for the Eastern District of Texas in 2018.

Prior to joining Fish, Nan worked in management consulting with a focus on corporate finance and process improvement. She has also worked in business data analytics, franchising, trademark registration, and trademark litigation, and served clients in a wide range of sectors including healthcare, petroleum, hospitality, and consumer goods.

Nan studied chemical engineering with a concentration in biotechnology engineering, and she has extensive research experience in on compounds and the interactions with pathogens.

Insights

Blog | February 10, 2023

Texas Patent Litigation Monthly Wrap-Up: January 2023

Blog | September 7, 2021

Texas Patent Litigation Monthly Wrap-Up - August 2021

Services

Litigation

Industries

Energy & Chemicals

Admissions

Texas (2020)

Languages

English

Mandarin Chinese

Cantonese Chinese

Education

J.D. *cum laude*, Southern Methodist University Dedman School of Law (2020) Senior Articles Editor, *SMU Science and Technology Law Review*

B.S., Chemical Engineering, University of Notre Dame (2014)



Sarika N. Patel

Associate

Dallas

o: 214-292-4033

pate@fr.com

Overview

Litigator Sarika Patel defends clients in patent validity challenges and patent infringement actions.

As skilled litigator and savvy strategist, Sarika helps forge paths toward effective resolution of disputes through motions to dismiss, aggressive advocacy, or swift and quiet negotiated settlement, when appropriate. Clients rely on her thorough infringement analyses to avoid running afoul of other patent holders' rights and her guidance on transactional matters, including breach of contract, misappropriation of trade secrets, and fraudulent inducement claims.

Sarika's experience in drafting patent applications for prosecution before the U.S. Patent and Trademark Office. She knows what makes a strong and effective patent, which helps her craft winning arguments to support her clients' claims at the patent office and in court.

Recognitions & awards

Rising Star

Super Lawyers 2022

Ones to Watch

Best Lawyers

Professional associations

DFW Women in IP

Trademark Academy, Dallas Association of Young Lawyers (2014)

Leadership Class, Dallas Association of Young Lawyers (2015)

Dallas Asian American Bar Association

Associate Member, Mac Taylor Inn of Court

Insights

Bog | February 2, 2022

Texas Patent Litigation Monthly Wrap-Up — January 2022

Bog | November 3, 2020

EDTX & NDTX Monthly Wrap-Up — October 2020

News

August 22, 2022

96 Fish Attorneys included in the 2023 Edition of *The Best Lawyers in America*

Services

Litigation

Patent Litigation

Trade Secret Litigation

Industries

Electrical & Computer Technology

Telecommunications

Admissions

Texas (2013)

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Western District of Texas

U.S. Court of Appeals for the Fifth Circuit

Education

J.D., Texas Tech University School of Law (2013) Articles Editor, *Texas Tech Administrative Law Journal*

B.A., Economics and Political Science, Austin College (2010)
